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8 December 2022

Hon. Jesse M. Furman
United States District Court for the Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Schulte*, Case No. 17-Cr-548

Dear Judge Furman:

On behalf of emptywheel, LLC (“emptywheel”), I respectfully submit this letter motion to intervene in the above-captioned case for the purposes of opposing the Government’s motion in support of the continued sealing of the redacted transcripts of various proceedings conducted pursuant to Section 6 of the Classified Information Procedures Act in advance of the June 2022 retrial in this case, filed as Docket No. 975. I also respectfully ask the Court to extend the 12 December deadline set by the Court for any opposition to the Government’s motion by ten days, until 22 December 2022.

Emptywheel is a company organized in the state of Michigan and, as the publisher of the well-known national security blog <https://www.emptywheel.net>, meets the definition of a representative of the news media.

Emptywheel requests this extension for good cause. The undersigned teaches a class in the Law of Secrecy at George Washington University Law School, and he is administering final oral examinations between 9-15 December. This is in addition to several existing briefing deadlines in other matters. Because he needs time to familiarize himself with the issues in play in this case, he accordingly requests this short extension. No party will be prejudiced by this extension.

The Government does not oppose the intervention of emptywheel and takes no position on the request for an extension. The undersigned did not seek Mr. Schulte's position because he has no meaningful way to communicate with an incarcerated individual in a timely manner.

Sincerely,



Kel McClanahan
Counsel for Proposed Intervenor